

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Revenue Department – Village Administration – East Godavari District –Sri Viriyala Gopala Krishna Murthy, S/o Ramachandra Rao for appointment as Village Revenue Assistant keeping in view of the orders of the Hon'ble A.P.A.T., Hyderabad in C.A.No.384 of OA.No.7550/2008 in relaxation of rules of upper age limit - Orders – Issued.

REVENUE (VA) DEPARTMENT

G.O.Rt.No. 184

Dated: 01 .02.2013

Read the following:-

1. Lokadalat for APAT, Hyderabad orders dated: 09.10.2001 in OA.No.7380/94
2. Hon'ble APAT, Hyderabad orders dated in MA.No.2446/1997of OA.No.7380/1994
3. A.P.A.T, Hyderabad orders dated: 05.08.2011 in OA.No.7550/ 2008.
4. A.P.A.T, Hyderabad orders dated: 30.11.2012 in CA.No.384/2012 of OA.No.7550/2008
5. District Collector, East Godavari District Lr.No.A1/1884/2011, Dated: 09.01.2013
6. CCLA, Hyderabad Lr.No.A2/42/2013, Dated: 21.01.2013.

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ORDER:

1. In the reference 6th read above, the Chief Commissioner of Land and Administration, Hyderabad has stated that Sri Viriyala Gopala Krishna Murthy, S/o Ramachandra Rao was temporarily appointed as Village Servant of Macharla Village of Kapileswarapuram Mandal. Said appointment was irregular as he was not appointed against a clear vacancy of substantive post of Village Servant and his appointment was found in excess to the sanction strength of Village Servants of Manchara Village and his appointment was cancelled by then Mandal Revenue officer, Kapileswarapuram. Further stated that the sanction of additional village servants on temporary basis for the purpose of collection of land revenue and other government dues during the Kist season taking into consideration of previous service, he was appointed as Village Servant of Valluru Village by then Mandal Revenue Officer, Kapileswarapuram. Further, on disbandment of the temporary posts by 30.06.94, the individual was terminated from the post.

2. In the reference 1st read above, Sri V.Gopala Krishna Murthy, who earlier worked as Village Servant of Machara & Valluru Villages has filed OA.No.7380/94 seeking appointment as Village Servant in the year 1994. The Lokadalat passed orders on 21.07.2001 to consider the applicant for appointment as Village Servant whenever the respondents fill up the post of Village Servants of Machara Village, Kapileswarapuram Mandal or any vacancy of Village Servant in the Mandal duly taking into consideration the past service rendered by giving due preference.

3. In the reference 2nd read above Sri V.Gopala Krishna Murthy again filed MA.No.2446/1997 in OA.No.7380/1994 on the action of respondents for not considering his case. The Hon'ble A.P.A.T., Hyderabad, in its order dated: 20.01.2003 directed as follows:

“The Lokadalat has already directed that the case of the applicant shall be considered for the appointment as Village Servant along with the others as per the rules by duly taking into consideration his past service, the respondents are directed to consider the case of the applicant for appointment as Village Servant as and when vacancies arises and his service shall be counted from the date of filing of the OA and monitory benefit should be given.”

4. In the reference 3rd read above, the applicant has filed OA.No.7550/2008 in Hon'ble A.P.A.T., Hyderabad, challenging the endorsement of the District Collector, East Godavari District, dated: 27-5- 2008. The Hon'ble A.P.A.T, Hyderabad has passed the orders dated: 05.08.2011 in OA.No.7550/2008 that "the action of the respondents in passing the impugned order dated: 27.05.2008 is contrary to the orders passed by the tribunal and deemed to be set aside. The O.A. is disposed accordingly with a direction to the respondents to consider the claim of the applicant for appointment as Village Servant in existing posts as referred supra, preferable within (4) months from the date of receipt of the order."

5. In view of the above, the Chief Commissioner of Land and Administration, Hyderabad has stated that the individual has filed Contempt Petition No.384/2012 allying non implementation of orders of the Hon'ble A.P.A.T.,Hyderabad in OA.No.7550/2008, Dated: 05.08.2011. The Hon'ble Tribunal has adjourned the case and directed to implement the orders of the Tribunal and to attend the Court with appointment orders, else be punished under the Contempt of Court Act.

6. The Chief Commissioner of Land and Administration, Hyderabad and District Collector, East Godavari District have requested the Government for permitting appointment of Sri V.Gopala Krishna Murthy as Village Revenue Assistant in relaxation of rules relating to maximum age limit in order to comply with the orders of the A.P.A.T., Hyderabad in CA.No.384/2012 in OA.No.7550/2008.

7. Government, after carefully examined the matter keeping in view the orders of the Hon'ble A.P.A.T., Hyderabad in OA.No.7380/1994 and OA.No.7550/2008 which have become final. It is observed that the individual was originally appointed following a Public Notification of the vacancy and his application in response to the same. Vide GO.Ms.No.502 Revenue (VA) Department, Dated: 04.08.2012, the nativity criterion for appointment to the post of Village Revenue Assistant has since been dispensed with by amending the A.P.Village Revenue Assistant Service Rules. Hence he can be considered for appointment as Village Revenue Assistant against one of the unfilled vacancies in the District. Moreover, since the order of Andhra Pradesh Administrative Tribunal, Hyderabad has become final it would not be permissible now to take the plea that the applicant is over aged. Hence the Government hereby order that the maximum age limit of 37 years prescribed under Rule 9(2)(f) of A.P.Village Revenue Assistant Service Rules,2005 be relaxed in favour of Sri V.Gopala Krishna Murthy for considering his appointment as Village Revenue Assistant.

8. The Chief Commissioner of Land and Administration, Hyderabad and District Collector, East Godavari District shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Chief Commissioner of Land Administration, A.P., Hyderabad
The District Collector, East Godavari District.
The Accountant General, A.P., Hyderabad

Copy to:

- 1) The Director of Treasuries & Accounts, A.P., Hyderabad
- 2) The District Treasury Officer, East Godavari District
- 3) The PS to M (Revenue) / PS to Prl.Secy (AM)
- 4) S.F / S.C

//FORWARDED BY ORDER//

SECTION OFFICER.